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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 THOMAS F. LENNON, as Receiver for
The Rose Fund, LLC, The Rose Fund, Inc., and
14 TRF Holdings, Inc.,

15 Plaintiff,

16 vs.

17 EVAN MEAD STONE,

18 Defendant.
19

Case No. C 04-04601 WHA

STIPULATION TO EXTEND DISCOVERY
CUTOFF AND RELATED DATES; ORDER
THEREON

20 Plaintiff, Thomas F. Lennon, as Receiver for The Rose Fund, LLC, The Rose Fund, Inc.,
21 and TRF Holdings, Inc. ("Lennon") and defendant, Evan Mead Stone ("Stone"), stipulate as
22 follows:

23 1. On or about February 10, 2005, this Court issued its Case Management Order and
24 reference to ADR Unit for Mediation setting forth deadlines for, inter alia, fact discovery, expert
25 discovery, and pre-trial motions.

26 2. Lennon and Stone, as well as a representative of Stone's insurer participated in
27 mediation on May 12, 2005. The session did not result in a settlement. On July 6, 2005, Stone's
28 insurer initiated a declaratory relief action requesting a finding that it had no duty to indemnify
Stone, or any other party.

3. As a result of the declaratory relief action, the parties believe that another attempt at mediation may be beneficial. In addition, due to the pending criminal investigations against the former principals of Rose Fund, issues have arisen as to whether Stone's deposition testimony will be impeded by the assertion of various privileges. Continuing the various discovery deadlines would allow the parties to pursue mediation before incurring substantial expert costs and allow time to address privilege issues with respect to Stone's testimony. The parties are *not* requesting a delay in the trial date.

STIPULATION

Lennon and Stone hereby stipulate to continuing the following deadlines:

Continued Date	Description
10/3/05	Discovery cut off/ last date to designate experts and opening reports
10/17/05	Last date rebuttal experts and "opposition reports"
10/24/05	Last date expert "reply reports"
11/07/05	Expert discovery cutoff
11/14/05 10/27/05	Last date to file dispositive motions before trial (no motions shall be heard more than 35 days after this deadline)

Counsel for Lennon hereby attests that the content of this stipulation is acceptable to all persons required to sign.

Dated: September 2, 2005

ALLEN MATKINS LECK GAMBLE &
MALLORY LLP

By: /s/ Loraine L. Pedowitz

LORAIN L. PEDOWITZ
Attorneys for Receiver Thomas F. Lennon

Dated: September 2, 2005

MURPHY PEARSON, BRADLEY & FEENEY

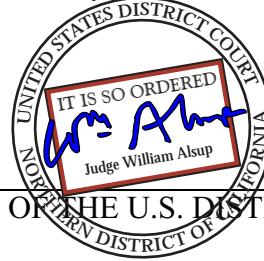
By: /s/ James A. Murphy

JAMES A. MURPHY
Attorneys for Defendant Evan Mead Stone

ORDER

Good cause appearing, it is hereby ordered that the discovery dates are continued as set forth above.

DATED: September 6, 2005



JUDGE OF THE U.S. DISTRICT COURT